

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated right-of-way thereof.

WHEREAS, a petition to vacate a dedicated right-of-way
within the City of Fort Wayne (as more specifically
described below) was duly filed with the City Planning
Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
dedicated right-of-way within the City of Fort Wayne, more
specifically described as follows, to-wit:


Greenwalt Avenue as recorded in Lincoln Highway
Park Addition and recorded in Plat Book 7B Page
121, in the Office of the Recorder of Allen
County, Indiana, more particularly described as
follows:

Beginning at the Southeast corner of Lot #1 in Lincoln
Highway Park Addition as recorded in the plat thereof
in the Office of the Recorder of Allen County, Indiana;
thence North along the East line of Lot #1, Lot #90,
Lot #91, Lot #92, Lot #93 and Lot #94, and along the
West right of way line of Greenwalt Avenue a distance
of 506.53 feet to a point on the south right of way
line of Conrail Railroad (formerly New York, Chicago &
St. Louis Railway); thence Southeasterly with a
deflection angle to the right of 105 degrees 00 minutes
along the South right of way line of said railroad a
distance of 25.65 feet to a point on the East right of
way line of Greenwalt Avenue and the East line of the


#456
Southeast Quarter of Section 6, Township 30 North,
Range 13 East, Allen County, Indiana; thence South with
a deflection angle to the right of 65 degrees 00
minutes along the East right of way line of Greenwalt
Avenue and the East line of the SE 1/4 of Sec. 6-30-13
a distance of 499.14 feet to a point 25.0 feet north of
the southeast corner of the SE 1/4 of Sec. 6-30-13;
thence West with a deflection angle to the right of 88
degrees 25 minutes and parallel to the South line of
the SE 1/4 of Sec. 6-30-13 a distance of 25.0 feet to
the point of beginning containing 0.289 acres.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary
approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1991,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Henry, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 3-12-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Bradbury, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GIAQUINTA</u>				<u>✓</u>
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 6-25-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. D-18-91 on the 25th day of June, 1991

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1991, at the hour of 1:45 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 2nd day of July, 1991, at the hour of 4:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

44 6595

No 10812

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND., Jan 29 1991

RECEIVED FROM OMNI SOURCE \$ 100⁰⁰

THE SUM OF One Hundred and no/100's 100 DOLLARS

ON ACCOUNT OF CK # 6595

PAID BY: CASH ☒ CHECK ☒ M.O. ☐

W. S. [Signature]

AUTHORIZED SIGNATURE

Date Filed: January , 1991

Vacation Petition

I/We OmniSource Corporation

(Applicant's Name or Names)

PETITION TO VACATE Greenwalt Avenue from Old Maumee Avenue North to the
Southern boundary of the Norfolk & Western Railroad
(Street, Alley, Utility Easement, Plat, right-of-way

Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), ~~do~~ (does) hereby respectfully
petition the Fort Wayne City Plan Commission to vacate the
following Street with the City of Fort

Wayne, Indiana, and hereby described as follows:

That portion of Greenwalt Avenue in the City of Fort Wayne, bounded on
the North by the right-of-way of the Norfolk & Western Railroad, on the
East by real estate owned by the Petitioner, on the South by Old Maumee
Avenue and on the West real estate owned by the Petitioner, more particularly
described on Exhibit "B" attached hereto and hereby made a part hereof.

(Legal Description of property being vacated) If additional
space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as
follows:

(List reasons for requesting vacation.)

Please see attached Exhibit "A" for reasons for requesting vacation.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority
granted in Indiana Code, and provisions of local ordinance, in
order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described
Greenwalt Avenue be vacated according to the provisions
of the Indiana Law pertaining thereto.

DATED THIS 16th DAY OF January 19 91

OMNISOURCE CORPORATION

Adjacent Property Owner
Typed Name

Address Zip

Signature

By Leonard Rifken, as its President

Adjacent Property Owner
Typed Name

1610 North Calhoun Street
Fort Wayne, IN 46808

Address Zip

X Signature

Legal Description of Property:

Additional Reasons for Vacation Request:

Owners of Adjacent Property:

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

Adjacent Owners TYPED Name	Property Address/Zip
-------------------------------	-------------------------

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

Otto M. Bonahoom, Barrett & McNagny
Name

215 East Berry Street, P.O. Box 2263
Street Address

Fort Wayne, IN 46801
City/State/Zip

(219) 423-9551
Phone

EXHIBIT "A"

REASONS FOR REQUESTING VACATION OF
GREENWALT AVENUE

1. Greenwalt Avenue is used solely by Petitioner, its agents, employees, invitees, licensees and guests and there is no need for its use by any other members of the general public.
2. Greenwalt Avenue contains no utility easements except a 12' sewer line pursuant to Resolution No. 597, July 19, 1956, which easement is not sought to be vacated and which Petitioner specifically agrees to affirm or rededicate, if necessary.
3. Petitioner knows of no other needs for utility easements on or over Greenwalt Avenue, but is willing to dedicate such easements as may be needed for it's proposed use of the real estate.
4. That Greenwalt Avenue is not necessary as ingress or egress to other properties whatsoever.
5. That Greenwalt Avenue is not at this time and has not been for many years used by anyone but Petitioner.
6. That no person, firm, or corporation is interested in or affected by the requested vacation.
7. That the maintenance of said Greenwalt Avenue is not necessary or advantageous to the growth of the City of Fort Wayne, and it would be in the best interests of the City and the citizens thereof that it be vacated.
8. That the land which is contiguous to Greenwalt Avenue on the East and West is owned by Petitioner and is presently used for the maintenance and operation of a scrap yard and for the parking of Petitioner's vehicles and trailers. (See attached Certification from Three Rivers Title Company.)
9. That the Petitioner knows of no person, firm, or corporation who would be aggrieved by the proposed vacation of Greenwalt Avenue because it (a) would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous; (b) would not make access to the lands of any aggrieved person, firm, or corporation by means of public way, difficult or inconvenient; (c) would not hinder the public's access to a church, school, or other public building or place; and (d) would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous, which are the only grounds on which a remonstrance or objection may be made. (I.C. 36-7-3-13).

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

We hereby certify that from our frequent reference as Abstractors to the various records and plats of additions in the Office of the Recorder of Allen County, Indiana, we are familiar with the location and designations of the various additions and subdivisions in the County of Allen, State of Indiana.


We further certify that we have completed a search of the public records in said Recorder's Office, and found the plat of Lincoln Highway Park Addition recorded on August 14, 1915 in Plat Record 7, page 121. Said plat lays out the street of Greenwalt Avenue, being 25 feet in width and bordering Maumee Avenue on the South and the New York, Chicago & St. Louis Railway on the North. The East line of the Greenwalt Avenue is the East line of the plat of Lincoln Highway Park Addition; also being the East line of Section 6, Township 30 North, Range 13 East.

We further certify that Omnisource Corporation is the record titleholder to th real estate adjoining Greenwalt Avenue on the North and West, as platted in Plat Record 7, page 121, by virtue of a Corporate Deed from Levin & Sons, Inc. to Omnisource Corporation, recorded July 7, 1987 as Document Number 87-34478.

We further certify that Omnisource Corporation is the record titleholder to the real estate adjoining Greenwalt Avenue on the East, as platted in Plat Record 7, page 121, by virtue of a Corporate Deed from Summit Dispatch, Inc. to Omnisource Corporation, recorded November 16, 1990 as Document Numbeerr 90-46158.

FORT WAYNE, INDIANA
January 2, 1991 at 5:00 P.M.

THREE RIVERS TITLE COMPANY, INC.

By 
Ronald W. Plassman, President

Order No. 91A1142

EXHIBIT "B"

Vacation of Greenawalt Avenue

Greenawalt Avenue as recorded in Lincoln Highway Park Addition and recorded in Plat Book 7B Page 121, in the Office of the Recorder of Allen County, Indiana more particularly described as follows:

Beginning at the Southeast corner of Lot #1 in Lincoln Highway Park Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence North along the East line of Lot #1, Lot #90, Lot #91, Lot #92, Lot #93, and Lot #94, and along the West right-of-way line of Greenawalt Avenue a distance of 506.53 feet to a point on the South right-of-way line of Conrail Railroad (formerly New York, Chicago, & St. Louis Railway); thence Southeasterly with a deflection angle to the right of 105 degrees 00 minutes along the South right-of-way line of said railroad a distance of 25.65 feet to a point on the East right-of-way line of Greenawalt Avenue and the East line of the Southeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South with a deflection angle to the right of 65 degrees 00 minutes along the East right-of-way line of Greenawalt Avenue and the East line of the SE $\frac{1}{4}$ of Sec. 6-30-13 a distance of 499.14 feet to a point 25.0 feet North of the Southeast corner of the SE $\frac{1}{4}$ of Sec. 6-30-13; thence West with a deflection angle to the right of 88 degrees 25 minutes and parallel to the South line of the SE $\frac{1}{4}$ of Sec. 6-30-13 a distance of 25.0 feet to the point of beginning containing 0.289 acres.

RESOLUTION 79-55-8

WHEREAS, OMNI SOURCE CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following street situated in Fort Wayne, Allen County, to-wit:

Greenwalt Avenue as recorded in Lincoln Highway Park Addition and recorded in Plat Book 7B Page 121, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot #1 in Lincoln Highway Park Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence North along the East line of Lot #1, Lot #90, Lot #91, Lot #92, Lot #93 and Lot #94, and along the West right of way line of Greenwalt Avenue a distance of 506.53 feet to a point on the south right of way line of Conrail Railroad (formerly New York, Chicago & St. Louis Railway); thence Southeasterly with a deflection angle to the right of 105 degrees 00 minutes along the South right of way line of said railroad a distance of 25.65 feet to a point on the East right of way line of Greenwalt Avenue and the East line of the Southeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South with a deflection angle to the right of 65 degrees 00 minutes along the East right of way line of Greenwalt Avenue and the East line of the SE 1/4 of Sec. 6-30-13 a distance of 499.14 feet to a point 25.0 feet north of the southeast corner of the SE 1/4 of Sec. 6-30-13; thence West with a deflection angle to the right of 88 degrees 25 minutes and parallel to the South line of the SE 1/4 of Sec. 6-30-13 a distance of 25.0 feet to the point of beginning containing 0.289 acres.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, CHARLES E. LAYTON, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort

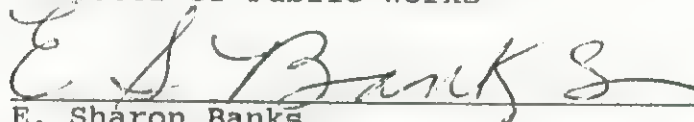
Wayne Board of Public Works at their meeting held
May 22, 1991 and as same appears
of record in the official records of the Board of Public Works.

DATED THIS 22 DAY OF May 1991

FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton
Director of Public Works



E. Sharon Banks
Chief of Staff



Douglas M. Lehman
Director of Administration & Finance

RESOLUTION

WHEREAS, OMNI SOURCE CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following street situated in Fort Wayne, Allen County, to-wit:

Greenwalt Avenue as recorded in Lincoln Highway Park Addition and recorded in Plat Book 7B Page 121, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot #1 in Lincoln Highway Park Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence North along the East line of Lot #1, Lot #90, Lot #91, Lot #92, Lot #93 and Lot #94, and along the West right of way line of Greenwalt Avenue a distance of 506.53 feet to a point on the south right of way line of Conrail Railroad (formerly New York, Chicago & St. Louis Railway); thence Southeasterly with a deflection angle to the right of 105 degrees 00 minutes along the South right of way line of said railroad a distance of 25.65 feet to a point on the East right of way line of Greenwalt Avenue and the East line of the Southeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South with a deflection angle to the right of 65 degrees 00 minutes along the East right of way line of Greenwalt Avenue and the East line of the SE 1/4 of Sec. 6-30-13 a distance of 499.14 feet to a point 25.0 feet north of the southeast corner of the SE 1/4 of Sec. 6-30-13; thence West with a deflection angle to the right of 88 degrees 25 minutes and parallel to the South line of the SE 1/4 of Sec. 6-30-13 a distance of 25.0 feet to the point of beginning containing 0.289 acres.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on March 18, 1991 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated street.

WHEREAS, said vacation of dedicated street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort

STATE OF INDIANA))
COUNTY OF ALLEN) SS:

DATED THIS 15th DAY OF May 1991

FORT WAYNE CITY ~~PLAN~~ COMMISSION

Robert Hutner
Secretary

#456 ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Greenwalt Avenue south of Norfolk & Western Railroad
and north of Maumee Avenue.

2-91-03-08

EFFECT OF PASSAGE Property is presently dedicated right-of-way. Property will
be vacated and revert to the ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))

FACT SHEET

G-91-03-08

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE** **APPROVAL DEADLINE** **REASON**

Street Vacation Ordinance

DETAILS**Specific Location and/or Address**Greenwalt Avenue south of Norfolk & Western
RR tracks and North of Maumee Avenue**Reason for Project**Right of Way is solely used by adjacent
property owners.**Discussion (Including relationship to other Council actions)**18 March 1991 - Public Hearing

Otto Bonahoom, attorney representing the petitioners stated that the petitioners owners all of the property adjacent to this right-of-way. He stated the right of way is a short street that runs north off of Old Maumee Avenue. He stated that the right of way presently is used only by his client and no one else. He stated that the client is willing to accommodate any easements for utilities as necessary.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

25 March 1991 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present, seven (7) voted for the motion, one (1) did not vote.

Motion carried.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**Applicant(s)
Omni Source Corporation

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For ☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for condition**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other☐ Pass (as
amended) ☐ Hold☐ Council Sub. ☐ Do not pas

DETAILS

NOTE:

The conditions placed on this approval by the Plan Commission have all been satisfied.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 29 January 1991

Projected Completion or Occupancy

Date 16 May 1991

Fact Sheet Prepared by
Patricia Biancaniello

Date 16 May 1991

Reviewed by

Date 5/24/91

Reference or Case Number

Kerry May 1038

BILL NO. G-91-03-08

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS C. HENRY, CHAIRMAN
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, BRADBURY

WE, YOUR COMMITTEE ON REGEGLUATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) ^{XXXXXXXXXX} amending the
Thoroughfare Plan of the City Comprehensive ("Master") plan by
vacating a dedicated right-of-way thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) ^{XXXXXXXXXX} UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

CR Edmonds

Bradbury
Schmidt

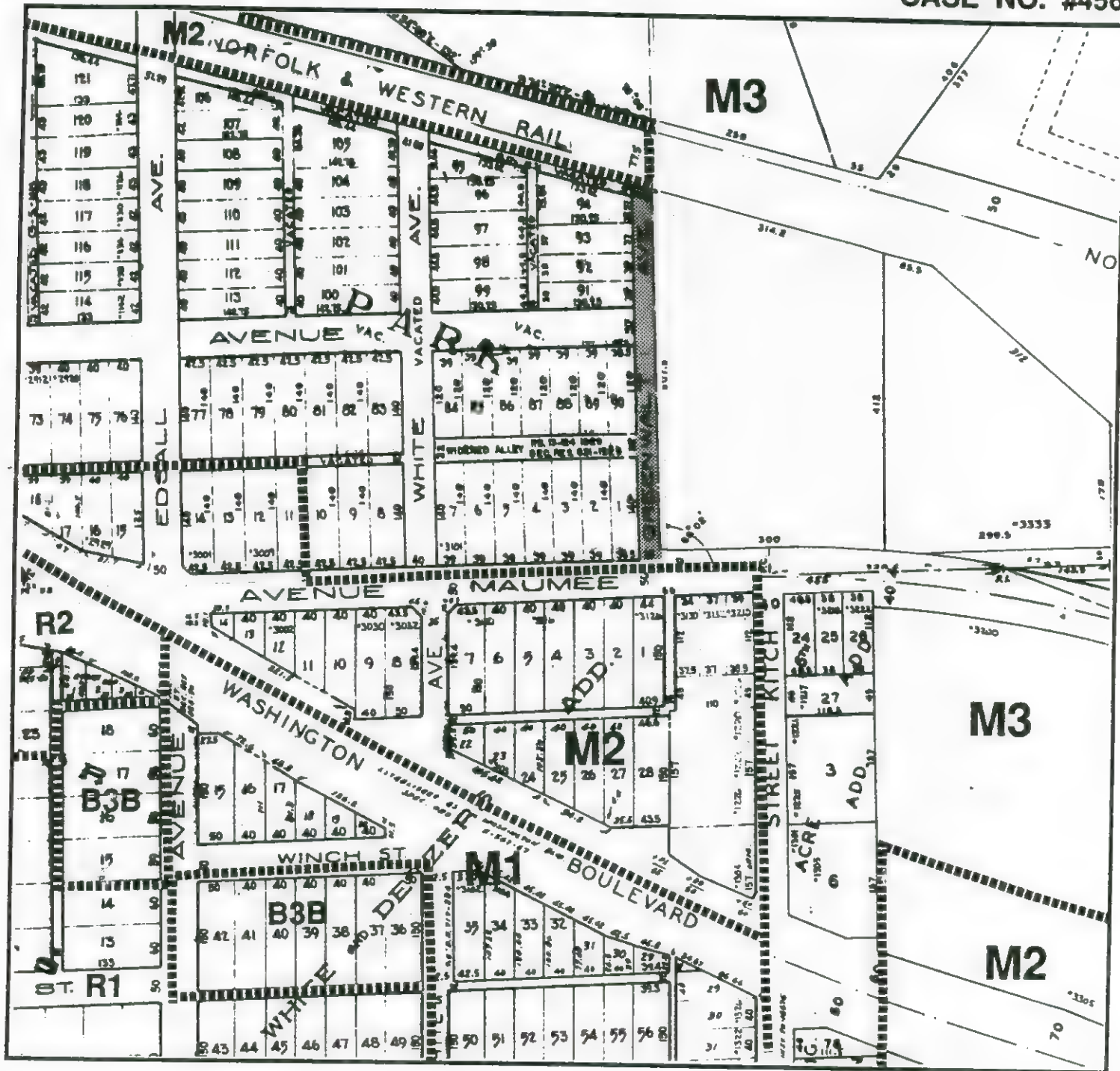
DATED: 6-25-91

Sandra E. Kennedy
City Clerk

VACATION PETITION

AREA MAP

CASE NO. #456



COUNCILMANIC DISTRICT NO. 1

Map No.: Q-2
LW 2-22-91

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	IA	Interchange Access
PUD	Planned Unit Dev.	POD	Professional Office District	MHP	Mobile Home Park

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-91-03-08)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, June 25, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Greenwalt Avenue as recorded in Lincoln Highway Park Addition and recorded in Plat Book 7B Page 121, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot #1 in Lincoln Highway Park Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence North along the East line of Lot #1, Lot #90, Lot #91, Lot #92, Lot #93 and Lot #94, and along the West right of way line of Greenwalt Avenue a distance of 506.53 feet to a point on the south right of way line of Conrail Railroad (formerly New York, Chicago & St. Louis Railway); thence Southeasterly with a deflection angle to the right of 105 degrees 00 minutes along the South right of way line of said railroad a distance of 25.65 feet to a point on the East right of way line of Greenwalt Avenue and the East line of the

Southeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South with a deflection angle to the right of 65 degrees 00 minutes along the East right of way line of Greenwalt Avenue and the East line of the SE 1/4 of Sec. 6-30-13 a distance of 499.14 feet to a point 25.0 feet north of the southeast corner of the SE 1/4 of Sec. 6-30-13; thence West with a deflection angle to the right of 88 degrees 25 minutes and parallel to the South line of the SE 1/4 of Sec. 6-30-13 a distance of 25.0 feet to the point of beginning containing 0.289 acres.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL


Sandra E. Kennedy
City Clerk

AGENT:

Otto Bonahoom
215 E Berry St
P O Box 2263
Fort Wayne IN 46802

PHONE: 423-9551



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 12, 1991

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of
June 15, 1991, in both the News Sentinel and Journal
Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-91-03-08
Street Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 13, 1991

Otto Bonahoom
215 E Berry Street
P.O. Box 2263
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON BILL NO. G-91-03-08

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, June 25, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Greenwalt Avenue south of Norfolk & Western
RR tracks and North of Maumee Avenue. Right
of way is solely used by adjacent property
owners

All interested persons are invited to appear and be heard.
Any written material may be submitted to the Common Council
prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

FW Common Council
(Governmental Unit)To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

42 lines, 1 columns wide equals 42 equivalent lines
at .33 cents per line

\$ 13.86

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 14.86

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: June 15, 19 91

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time (s), the dates of publication being as follows:

6/15/91

Subscribed and sworn to before me this 15th day of June, 19 91.Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-91-03-08)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, June 25, 1991, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Greenwalt Avenue as recorded in Lincoln Highway Park Addition and recorded in Plat Book 7B Page 121, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot #1 in Lincoln Highway Park Addition as recorded in the plat hereof in the Office of the Recorder of Allen County, Indiana; thence North along the East line of Lot #1, Lot #90, Lot #91, Lot #92, Lot #93 and Lot #94, and along the West right of way line of Greenwalt Avenue a distance of 506.53 feet to a point on the south right of way line of Conrail Railroad (formerly New York, Chicago & St. Louis Railway); thence Southeasterly with a deflection angle to the right of 105 degrees 00 minutes along the South right of way line of said railroad a distance of 25.65 feet to a point on the East right of way line of Greenwalt Avenue and the East line of the Southeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South with a deflection angle to the right of 65 degrees 00 minutes along the East right of way line of Greenwalt Avenue and the East line of the SE 1/4 of Sec. 6-30-13 a distance of 499.14 feet to a point 25.0 feet north of the southeast corner of the SE 1/4 of Sec. 6-30-13; thence East with a deflection angle to the right of 88 degrees 5 minutes and parallel to the South line of the SE 1/4 of Sec. 6-30-13 a distance of 25.0 feet to the point of beginning containing 0.289 acres.

All interested parties are invited to appear and be heard.

Sandra E. Kennedy
City Clerk

FW Common Council
(Governmental Unit)To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN Dr.

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

42 lines, 1 columns wide equals 42 equivalent lines
at .33 cents per line

\$ 13.86

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 14.86

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

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Sandra E. Kennedy
City Clerk

State of Indiana)

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